

Notice of Allowability

Application No.

09/707,044

Applicant(s)

LINCOLN ET AL.

Examiner

Erick Rekstad

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed February 7, 2006.
2. ☒ The allowed claim(s) is/are 1-3, 5-9, 11, 14, 15, 25-28, 32-34, 36-38, 40 and 43-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

This is an Allowance for Application no. 09/707044 in response to the RCE filed on February 7, 2006 where in claims 1-3, 5-9, 11, 14, 15, 25-28, 32-34, 36-38, 40, 43-45 are presented for examination.

EXAMINER'S AMENDMENT

This application is in condition for allowance except for the presence of claims 16-24 and 29-31 directed to Group II non-elected without traverse. Accordingly, claims 16-24 and 29-31 have been cancelled.

The application has been amended as follows:

Cancel claims 16-24 and 29-31.

Allowable Subject Matter

Claims 1-3, 5-9, 11, 14, 15, 25-28, 32-34, 36-38, 40, 43-45 are allowed.

The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record since the cited reference taken individually or in combination fails to particularly disclose a method, apparatus, computer readable medium for deconstructing video as claimed.

The closest prior art (Suzuki et al. US Patent 6,567,427) discloses a similar method of deconstructing video as shown in the Office Action mailed October 5, 2005. However, Suzuki fails to particularly teach or suggest "encoding each component of the video image sequence in accordance with the selected dimensions to form a plurality of bitstreams, such that the plurality of bitstreams forms a partial order wherein each point of the partial order represents a unique valid combination of components and

dimensions for encoding the video image sequence, and a base of the partial order represents a base bitstream comprising components that are common to each of said plurality of bitstreams, said base bitstream encoding a first version of said video image sequence" as claimed. Wherein the components and dimensions are defined as in the disclosure (Page 2 Lines 24-28 and Page 3 Lines2-6). This feature taken with the others in the claims define over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,614,936 to Wu et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erick Rekstad
Examiner
AU 2621
(571) 272-7338
erick.rekstad@uspto.gov



GIMS PHILIPPE
PRIMARY EXAMINER